REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-20 and 22 were pending in this application. Claims 1, 16, and 20 have been amended. Accordingly, claims 1-20 and 22 will remain pending herein upon entry of this Amendment, of which claims 1, 8, 16, and 20 are independent claims. Support for the amendment to each of the claims can be found, for example, at paragraphs [0022], [0023] and [0045] of the present application. For the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the Office Action mailed May 17, 2005, claims 1-20, and 22 were rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 6,587,127 to Leeke et al. ("Leeke") in view of U.S. Pub. No. 2004/0051812A1 to Hayward ("Hayward"). To the extent this ground of rejection might still be applied to claims presently pending in this application, it is respectfully traversed.

Amended claim 1 recites a method for providing media samples including, among other things, downloading the identified media sample through a branded player to enable playback of the identified media sample when the identified media sample is associated with a branded player, wherein the request includes a client-ID that identifies the branded player that should be launched to playback the media sample, and wherein the branded player enables a consumer to listen to the playback of the identified media sample and purchase corresponding media, while reviewing and accessing other search results and related information. The method of amended

claim 8 recites that the search request includes at least one media keyword <u>and a client ID</u>, wherein the media sample is automatically played on a media player associated with the consumer device, and a branded player associated with <u>the client ID and</u> the media sample is automatically provided so that the media player plays back the media sample on the branded player. Similar "branded player" features are also included in amended claims 16 and 18.

Leeke describes a method of operation of server 102 interacting with users 104, 106 to provide personalized content to each of the users. The method of Leeke retrieves a user profile associated with a particular client apparatus, selects a second media content based on the user profiles, and communicating the second media content and a control signal associated with the second media from the server to the particular client apparatus, wherein the control signal instructs the particular client apparatus to insert the second media content at the at least one insertion point of the first media content. According to Leeke, the playback of the second media content is synchronized with respect to the playback of the first audio content.

As admitted by the Examiner, Leeke fails to teach or suggest downloading the sample media through a branded player to enable playback of the identified media sample when the identified media sample is associated with a branded player. Furthermore, Leeke also fails to teach or suggest that the request includes a client-ID that identifies the branded player that should be launched to playback the media sample, and the branded player enables a consumer to listen to the playback of the identified media sample and purchase corresponding media, while reviewing and accessing other search results and related information, as recited in amended claim 1, and similarly, in claims 8, 16, and 20.

Hayward describes a method of collecting data in connection with the retrieval of a media file, including the steps of transmitting to a media device 110 an embedded media player page for playing the media file and transmitting a media file identification message to log server 104. In operation, media file index and log system 112 transmits search results through internet 112 to customer system 118, which then transmits the search result in a customized HTML page to client 110 to display to the user using a browser of client 110. The user of client 110 next decides to view the video data contained within a video file listed in the search results by clicking a link to one of the video files. When the user clicks on a link, a script file instructs the client to request the embedded media player page from customer system 122. As defined at page 2, paragraph [0023], the "embedded media player page" refers to both the underling code that directs the display of content by a browser and instructs the client to take certain actions and the content actually displayed as a Web page in a browser window.

The embedded media player page, however, is not associated with a sample media and a client ID is not included in a search request. Furthermore, as described in paragraph [0028], the embedded media player page is requested by the client, not automatically displayed based on its associated client ID. Therefore, Applicants respectfully submit that the embedded media player page is not the branded player recited in amended claims 1, 8, 16, and 20.

Accordingly, as both Leeke and Hayward fail to teach or suggest the "client ID" and "branded player" features of amended claims 1, 8, 16, and 20, Applicants respectfully submit that it would not have been obvious for one skilled in the art to combine Leeke and Hayward to

achieve the methods and systems recited in amended claims 1, 8, 16, and 20. Applicants thus

respectfully submit that claims 1-20 and 22 should be patentable over Leeke in view of Hayward.

In view of the foregoing all of the claims in this case are believed to be in condition for

allowance. Should the Examiner have any questions or determine that any further action is

desirable to place this application in even better condition for issue, the Examiner is encouraged

to telephone applicants' undersigned representative at the number listed below.

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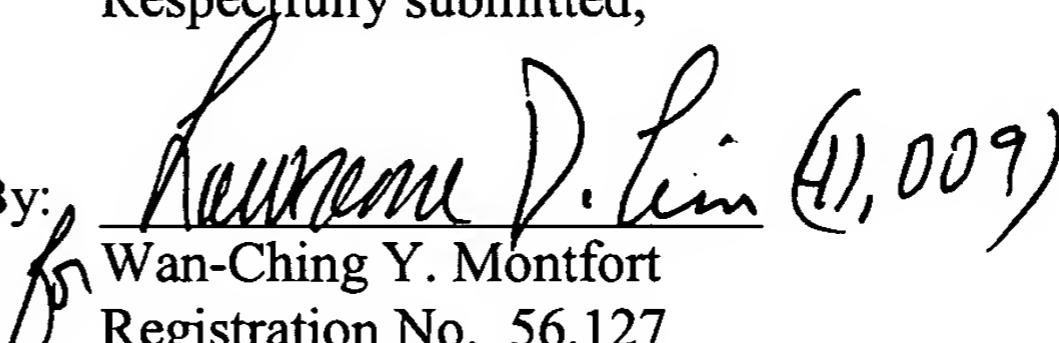
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